

Appl. No. 10/733,706
Amdt. dated 12/29/2005
Reply to Office Action of September 13, 2005

REMARKS

Amendment to the Specification:

If the Petition under 37 CFR §1.78 is approved, the Specification has been amended by the addition of the stated paragraph on page 2 of this amendment.

Rejection of the claims under 35 USC §102:


Claims 1-9, 12-13 and 15-16 have been rejected under 35 U.S.C. 102(b) as being anticipated by Stedman et al (WO 99/31982, 1999).

Applicants have filed a Petition with this Amendment requesting a claim of benefit to a related application that precedes the Stedman *et al.* reference. Therefore, Applicants believe that the reference is not a §102(b) anticipation of the claims.

Applicants respectfully request reconsideration of the §102 rejection in light of an allowed Petition.

The Examiner's rejections are now believed to be overcome by this response to the Office Action. In view of Applicants' amendment and arguments, it is submitted that claims 1-9, 12-13, 15 and 16 should be allowable.

Respectfully submitted,


Mark K. Johnson Reg. No. 35,909
Mirus Bio Corporation
505 South Rosa Road
Madison, WI 53719
608-238-4400

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as express mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: June 22, 2006.


Mark Johnson